

**Amendments To The Drawings:**

The attached drawing sheets include one annotated and one replacement sheet for FIG. 1 and one new sheet for FIG. 2. These sheets replace the original single sheet that contained both FIG. 1 and FIG. 2.

Attachment: Annotated Sheet for FIG. 1

Replacement sheet for FIG. 1

New sheet of FIG 2

### **REMARKS/ARGUMENTS**

Claims 2-4 and 6-9 were withdrawn from consideration by the Applicant's previously-filed election. The Examiner stated on page 2 of the Office Action that a complete reply to the action "must include cancellation of nonelected claims."

As can be seen above, claims 2-4 and 6-9 have been cancelled.

The drawings were objected to because reference numeral 15 was not clearly indicated and leader lines were missing for reference numerals 14, 20, 18, 20 and 29. The Examiner's objections to the drawings are believed overcome by the revisions to FIG. 1 and by new FIG. 2.

In response to the Examiner's drawing objections, the applicant has provided an amended FIG. 1, wherein leader lines are provided for reference numerals 14, 15, 16 and 20. The applicant has also provided a new FIG. 2 on a new drawing sheet.

As for new FIG. 2 provided herewith, the Examiner's attention is directed to lines 4-6 on page 3 of the specification as filed, whereat the applicant stated that the dispenser "is preferably a dispenser as disclosed in US Patent No. 6,227,739 which [was] incorporated by reference...." In light of the applicant's explicit incorporation by reference of the dispenser disclosed in the '739 patent as being a preferable dispenser, no new matter is added by applicant's provision of the new FIG. 2 provided herewith.

Independent claim 1 was rejected under 35 U.S.C. §102(b) as being anticipated by U.S. patent number 5,816,804 to Fischer, hereafter referred to as "the Fischer reference." Claim 1 as amended above is believed to avoid the Fischer reference.

Paraphrased, claim 1 now claims an applicator for liquids or gels. The claimed applicator is also claimed to have bristles that are *within* the dispensing orifice, which is a feature that is not disclosed in the Fischer reference. In fact, as shown below, every embodiment of the Fischer reference shows bristles that are on the exterior or outside surfaces of a dispensing tube.

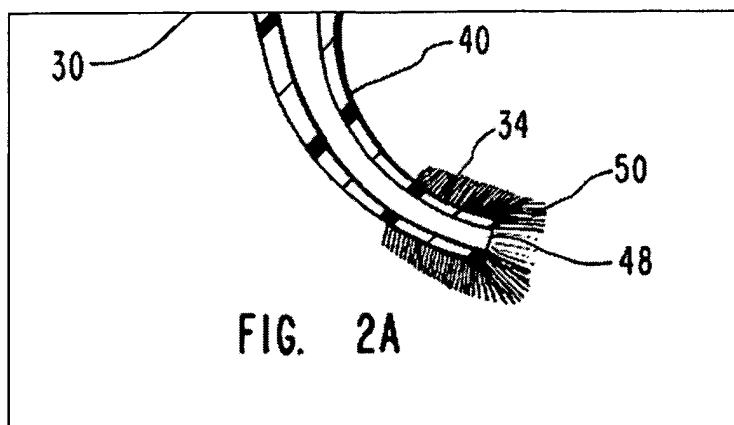


FIG. 2A from the Fischer reference.

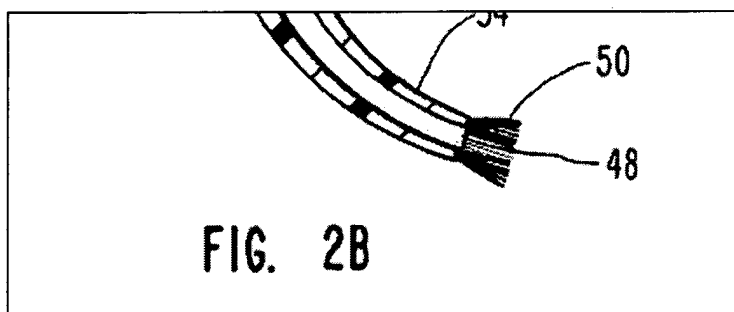


FIG. 2B from the Fischer reference.

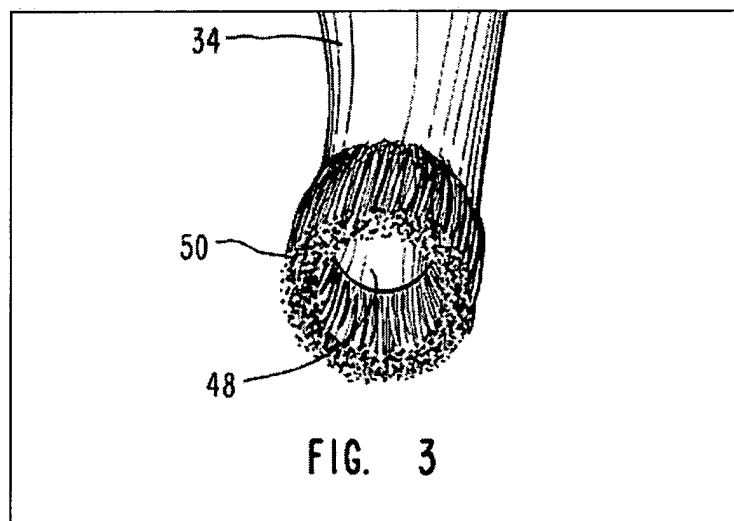


FIG. 3 from the Fischer reference.

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FIG. 1 is a perspective view of one embodiment of the delivery tip of the present invention. 60  
FIG. 2A is a longitudinal cross-sectional view of the embodiment of FIG. 1 taken along lines 2—2;  
FIG. 2B is a longitudinal cross-sectional view of an alternative embodiment of the delivery tip of FIG. 1. 65  
FIG. 3 is an enlarged end view of the delivery tip of FIG. 1.

**Fischer's description of FIGs 1-3.**

As for claim 5, it was rejected under 35 U.S.C. §103(a). Since claim 5 depends from claim 1, claim 5 is submitted to be in condition for allowance in view of the amendment to claim 1.

New claims 10-14 are also presented for examination. No fee is believed to be required for the new claims because the total claim count on entry of the amendment will be below the claim count covered by the basic filing fee. (3 independent claims; 20 total claims)

Since the Applicant has distinguished the claims from the art cited by the Examiner, the pending claims are submitted to be in condition for allowance.

Respectfully submitted,

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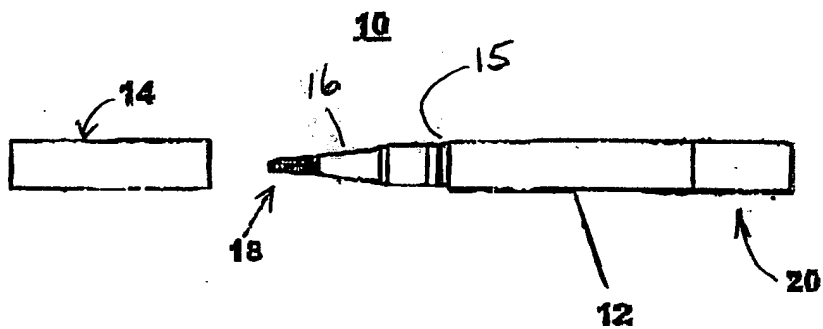


Fig. 1

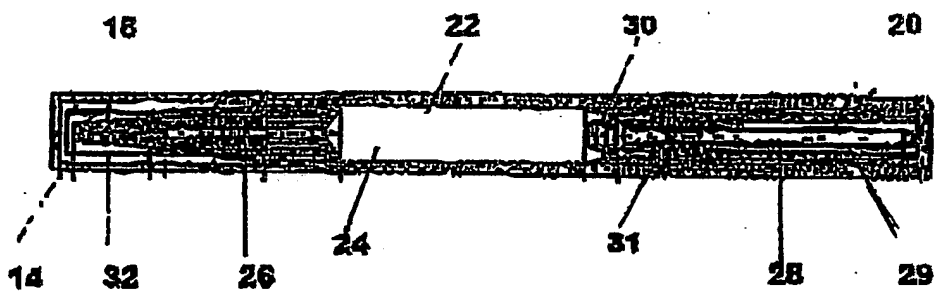


Fig. 2